
HOUSE BILL 1748

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By Representatives Morris, Van Luven, Quall, Kessler, Sheldon, Anderson, Buck, Cooper, Dunn, Hatfield, Thompson and O'Brien

Read first time 02/07/97. Referred to Committee on Trade & Economic Development.

1 AN ACT Relating to fostering economic development through increased
2 maritime trade competitiveness; amending RCW 88.02.030, 88.02.040, and
3 88.02.050; and adding a new section to chapter 88.02 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 88.02 RCW
6 to read as follows:

7 (1) The department may issue a cruise permit for a vessel that has
8 been issued a valid number under federal law or by an approved issuing
9 authority of the state of principal operation if the vessel:

10 (a) Is owned by a person who is not a resident of this state as
11 defined in RCW 46.16.028 and who does not reside in this state; and

12 (b) Is not used in conducting a nontransitory business activity
13 within the state.

14 (2) The cruise permit may be valid for a maximum period of one
15 hundred twenty days and only two cruise permits per vessel may be
16 issued in any calendar year.

17 **Sec. 2.** RCW 88.02.030 and 1991 c 339 s 30 are each amended to read
18 as follows:

1 Vessel registration is required under this chapter except for the
2 following:

3 (1) Military or public vessels of the United States, except
4 recreational-type public vessels;

5 (2) Vessels owned by a state or subdivision thereof, used
6 principally for governmental purposes and clearly identifiable as such;

7 (3) Vessels either (a) registered or numbered under the laws of a
8 country other than the United States; or (b) having a valid United
9 States customs service cruising license issued pursuant to 19 C.F.R.
10 Sec. 4.94;

11 (4) Vessels that have been issued a valid number under federal law
12 or by an approved issuing authority of the state of principal
13 operation. However, a vessel that is validly registered in another
14 state but that is removed to this state for principal use is subject to
15 registration under this chapter. The issuing authority for this state
16 shall recognize the validity of the numbers previously issued for a
17 period of sixty days after arrival in this state and for the period
18 during which a vessel has a valid cruise permit issued under section 1
19 of this act;

20 (5) Vessels owned by a resident of another state if the vessel is
21 located upon the waters of this state exclusively for repairs or
22 reconstruction, or any testing related to the repair or reconstruction
23 conducted in this state if an employee of the repair facility is on
24 board the vessel during any testing: PROVIDED, That any vessel owned
25 by a resident of another state is located upon the waters of this state
26 exclusively for repairs, reconstruction or testing for a period longer
27 than sixty days, that the nonresident shall file an affidavit with the
28 department of revenue verifying the vessel is located upon the waters
29 of this state for repair, reconstruction or testing and shall continue
30 to file such affidavit every sixty days thereafter, while the vessel is
31 located upon the waters of this state exclusively for repairs,
32 reconstruction or testing;

33 (6) Vessels equipped with propulsion machinery of less than ten
34 horsepower that:

35 (a) Are owned by the owner of a vessel for which a valid vessel
36 number has been issued;

37 (b) Display the number of that numbered vessel followed by the
38 suffix "1" in the manner prescribed by the department; and

1 (c) Are used as a tender for direct transportation between that
2 vessel and the shore and for no other purpose;

3 (7) Vessels under sixteen feet in overall length which have no
4 propulsion machinery of any type or which are not used on waters
5 subject to the jurisdiction of the United States or on the high seas
6 beyond the territorial seas for vessels owned in the United States and
7 are powered by propulsion machinery of ten or less horsepower;

8 (8) Vessels with no propulsion machinery of any type for which the
9 primary mode of propulsion is human power;

10 (9) Vessels which are temporarily in this state undergoing repair
11 or alteration;

12 (10) Vessels primarily engaged in commerce which have or are
13 required to have a valid marine document as a vessel of the United
14 States. Commercial vessels which the department of revenue determines
15 have the external appearance of vessels which would otherwise be
16 required to register under this chapter, must display decals issued
17 annually by the department of revenue that indicate the vessel's exempt
18 status; and

19 (11) Vessels primarily engaged in commerce which are owned by a
20 resident of a country other than the United States.

21 **Sec. 3.** RCW 88.02.040 and 1989 c 393 s 12 are each amended to read
22 as follows:

23 The department shall provide for the issuance of vessel
24 registrations and cruise permits and may appoint agents for collecting
25 fees and issuing registration numbers and decals. Fees for vessel
26 registrations and cruise permits collected by the director shall be
27 deposited in the general fund: PROVIDED, That any amount above one
28 million one hundred thousand dollars per fiscal year shall be allocated
29 to counties by the state treasurer for boating safety/education and law
30 enforcement programs. Eligibility for such allocation shall be
31 contingent upon approval of the local boating safety program by the
32 state parks and recreation commission. Fund allocation shall be based
33 on the numbers of registered vessels by county of moorage. Each
34 benefiting county shall be responsible for equitable distribution of
35 such allocation to other jurisdictions with approved boating safety
36 programs within said county. Any fees not allocated to counties due to
37 the absence of an approved boating safety program, shall be allocated
38 to the commission for awards to local governments to offset law

1 enforcement and boating safety impacts of boaters recreating in
2 jurisdictions other than where registered.

3 **Sec. 4.** RCW 88.02.050 and 1993 c 244 s 38 are each amended to read
4 as follows:

5 Application for a vessel registration or cruise permit shall be
6 made to the department or its authorized agent in the manner and upon
7 forms prescribed by the department. The application shall state the
8 name and address of each owner of the vessel and such other information
9 as may be required by the department, shall be signed by at least one
10 owner, and shall be accompanied by a vessel registration fee of ten
11 dollars and fifty cents per year and the excise tax imposed under
12 chapter 82.49 RCW or a cruise permit fee of two hundred fifty dollars.
13 Any fees required for licensing agents under RCW 46.01.140 shall be in
14 addition to the ten dollar and fifty cent annual registration fee.

15 Upon receipt of the application and the registration or permit fee,
16 the department shall assign a registration or cruise permit number and
17 issue a decal for each vessel. The registration or cruise permit
18 number and decal shall be issued and affixed to the vessel in a manner
19 prescribed by the department consistent with the standard numbering
20 system for vessels set forth in volume 33, part 174, of the code of
21 federal regulations. A valid decal affixed as prescribed shall
22 indicate compliance with the annual registration requirements of this
23 chapter.

24 The vessel registrations and decals are valid for a period of one
25 year, except that the director of licensing may extend or diminish
26 vessel registration periods, and the decals therefor, for the purpose
27 of staggered renewal periods. For registration periods of more or less
28 than one year, the department may collect prorated annual registration
29 fees and excise taxes based upon the number of months in the
30 registration period. Vessel registrations are renewable every year in
31 a manner prescribed by the department upon payment of the vessel
32 registration fee and excise tax. Upon renewing a vessel registration,
33 the department shall issue a new decal to be affixed as prescribed by
34 the department.

35 When the department issues either a notice to renew a vessel
36 registration or a decal for a new or renewed vessel registration, it
37 shall also provide information on the location of marine oil recycling
38 tanks and sewage holding tank pumping stations. This information will

1 be provided to the department by the state parks and recreation
2 commission in a form ready for distribution. The form will be
3 developed and prepared by the state parks and recreation commission
4 with the cooperation of the department of ecology. The department, the
5 state parks and recreation commission, and the department of ecology
6 shall enter into a memorandum of agreement to implement this process.

7 A person acquiring a vessel from a dealer or a vessel already
8 validly registered under this chapter shall, within fifteen days of the
9 acquisition or purchase of the vessel, apply to the department or its
10 authorized agent for transfer of the vessel registration, and the
11 application shall be accompanied by a transfer fee of one dollar.

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